



Oregon Voices  
PO Box 13175  
Salem, OR 97302

Feb. 3, 2019

House Judiciary Committee

Rep. Jennifer Williamson, Chair

Rep. Chris Gorsek, Vice Chair

Rep. Sherrie Sprenger, Vice Chair

Rep. Jeff Barker

Rep. Janelle Bynum

Rep. Mitch Greenlick

Rep. Rick Lewis

Rep. Mike McLane

Rep. Carla Piluso

Rep. Bill Post

Rep. Karin Power

Dear Chair Williamson and members of the committee:

My name is Ken Nolley and I am writing on behalf of Oregon Voices with regard to HB 2044 and 2045. I have worked closely for several years both on the Sex Offender Level Classification Team and with BPPPS with their subcommittee on SONL reclassification and relief; consequently, I do understand and accept the legitimate concerns that have led to both bills. Nevertheless, we do have a concern about each.

HB 2044 reduces the time for a registrant to respond to notice of classification from the date the classification is received to the date from which it is sent. In most cases, this should only be a matter of very few days, and it should not be particularly problematic. Our concern arises from the fact that one powerful, though indirect effect of the registry is that it creates a large class of persons unable to find housing. For a variety of reasons, many homeless registrants are unable to collect mail in any regular way. Therefore, we believe that adjustments must be made to provide some flexibility for those people. I have spoken with Dylan Arthur and Michael Hsu on this issue. They expressed some of the same concerns, and they have been responsive again and again in dealing with such things. Therefore I fully expect that formal adjustments have been or will be made for homeless registrants with irregular access to mail.

HB 2045 removes the deadline for the Board to complete scoring and classification of the backlog of historical registrants. We understand that there is no way that the board can complete this task in the remaining allotted time; indeed, they are moving as rapidly as appropriate care and the resources available to them allow. Nevertheless, we have concerns about simply removing the deadline—not because of the Board, but because unless major new resources are put into the effort as it is currently conceived, this process will not be completed for decades. The prospect of such a seemingly unending process turns the hope of relief for many registrants who have already been offense-free for a 10 years, or 20 years or more into a cruel mirage that always dissolves before they can get there.

It will also postpone for decades the benefits we hoped to harvest from this bill. One major goal of HB 2549 in 2013 was to greatly reduce the size of the registry by removing registrants who were demonstrably lowest risk, freeing up resources could be focused on other methods of preventing sex crimes, such as education programs in schools. Again, no one is more painfully aware of this problem than the Board.

Oregon Voices believes that there are solutions. One would be for Oregon to begin to use the extended data now available as part of the Static-99R that measures the actuarial reduction in risk spent offense-free in the community. Doing so could greatly simplify the process of relief for many responsible long-term registrants. There may be other strategies that could help as well.

We support being realistic about the size of the task at hand, but we strongly hope and recommend that the legislature will not simply remove the deadline through this bill without making other serious efforts to expedite the process of classification and relief.

Sincerely,

A handwritten signature in cursive script that reads "Ken Nolley". The signature is written in black ink and is positioned above the printed name.

Ken Nolley

Oregon Voices Board Member